

EXHIBIT 78

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 IN RE: NATIONAL) MDL No. 2804
5 PRESCRIPTION OPIATE)
6 LITIGATION,) Case No.
7) 1:17-MD-2804
8)
9 THIS DOCUMENT RELATES TO) Hon. Dan A.
10 ALL CASES) Polster
11)
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15 Videotaped Deposition of GEORGE
16 CHAPMAN, held at 4206 South J.B. Hunt Drive,
17 Rogers, Arkansas, commencing at 9:00 a.m., on
18 the above date, before Debra A. Dibble,
19 Certified Court Reporter, Registered
20 Diplomate Reporter, Certified Realtime
21 Captioner, Certified Realtime Reporter and
22 Notary Public.
23
24
25

Wednesday, — — —
— — —

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW
— — —

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GOLKOW LITIGATION SERVICES
877.370.3377 ph | fax 917.591.5672
deps@golkow.com

1 area of responsibility at that point?

2 MR. VARNADO: Object to the
3 form.

4 THE WITNESS: I'm sorry, what
5 was that?

6 Q. (BY MR. INNES) I'm sorry.

7 What was your area of
8 responsibility at that point?

9 A. Our area of responsibility was
10 everything within the practice compliance and
11 the practice of pharmacy at our locations,
12 our retail pharmacy settings.

13 Q. What was your responsibility at
14 that point as it related to the distribution
15 of opioids?

16 MR. VARNADO: Object to the
17 form.

18 THE WITNESS: Can you repeat
19 that?

20 MR. INNES: Sorry, that was
21 fast. I'm sorry.

22 Q. (BY MR. INNES) What was your
23 responsibility at that point as it related to
24 the distribution of opioids?

25 MR. VARNADO: Object to the

1 form.

2 THE WITNESS: We dispensed
3 opioids in our retail pharmacies.

4 Q. (BY MR. INNES) In 2014, was
5 Walmart a distributor of opioids?

6 A. That was not my area of
7 responsibility.

8 Q. What responsibility, if any,
9 did you have in 2014 regarding distribution?

10 A. Someone in our area worked with
11 our logistics partners to make enhancements
12 to their system.

13 Q. Who was that person?

14 A. Miranda Johnson.

15 Q. Okay. And at that point in
16 time, 2014, you were the senior director of
17 health and wellness compliance?

18 A. Yes.

19 Q. And did Ms. Johnson report to
20 you at that point in time?

21 A. She did not. She reported to
22 someone else.

23 Q. Who did she report to at that
24 point?

25 A. She reported to Tim Koch.

1 K-O-C-H.

2 Q. And at that point in time, was
3 Mr. Koch involved in the -- was Mr. Koch
4 involved in the -- strike that.

5 In 2014, senior director of
6 health and wellness compliance that dealt
7 with Walmart's compliance with the CEA -- CSA
8 as it relates to the distribution of opioids
9 was Tim Koch?

10 MR. VARNADO: Object to the
11 form.

12 THE WITNESS: Tim Koch would
13 have been a senior director. His
14 responsibility would have been for
15 making sure our stores, our pharmacy
16 retail sites had the appropriate
17 practice acts for both federal and
18 state legislation.

19 But we did not have
20 responsibility for logistics.

21 Q. (BY MR. INNES) What do you
22 mean -- are you using "logistics" as a
23 synonym for "distribution"?

24 A. Logistics is our distribution.

25 Q. Is it your understanding that

1 during that point in time, health and
2 wellness compliance had no role in compliance
3 with the CSA as it relates to the
4 distribution of opioids?

5 MR. VARNADO: Object to form.

6 Go ahead.

7 THE WITNESS: What time period?

8 MR. INNES: We're in 2014.

12 Q. (BY MR. INNES) Okay. Practice
13 compliance had no role at all?

14 MR. VARNADO: Object to form.

15 THE WITNESS: Practice
16 compliance did not have responsibility
17 for the logistics department and SOM
18 reporting.

19 Q. (BY MR. INNES) That's not my
20 question. I want to know if the practice
21 compliance division had any responsibility
22 regarding the distribution of opioids in
23 2014.

24 A. No.

25 Q. When, if ever, did the practice

1 compliance division have responsibility
2 relating to the distribution of opioids?

3 A. The practice compliance
4 department would not have responsibility for
5 distribution.

6 Q. What role, if any, did the
7 practice compliance division have relating to
8 the diversion or potential diversion of
9 opioids in 2014?

10 MR. VARNADO: Object to form.

11 THE WITNESS: Practice
12 compliance had responsibility for
13 theft and diversion within our
14 pharmacies for -- either by
15 pharmacists, technicians, or for
16 forged or altered prescriptions that
17 would be presented at our pharmacies.

18 Q. (BY MR. INNES) When, if ever,
19 did -- strike that.

20 Can you describe those
21 responsibilities in detail?

22 A. I'm sorry, can you --

23 Q. Can you describe those
24 responsibilities that you had?

25 MR. VARNADO: Object to the

1 form.

2 THE WITNESS: For the
3 pharmacist, technician, or forged or
4 altered prescriptions.

5 Q. (BY MR. INNES) Let me rephrase
6 the question.

7 Your testimony is that practice
8 compliance had responsibility for the theft
9 and diversion within our pharmacies, for
10 either pharmacists, technicians, or forged or
11 altered prescriptions that would be presented
12 to our pharmacists.

13 Is that accurate?

14 THE WITNESS: Practice
15 compliance had the responsibility for
16 reporting to the DEA or to state
17 regulatory agencies of any theft or
18 diversion within our pharmacies.

19 Reporting.

20 Q. (BY MR. INNES) And we're
21 talking in 2014 right now?

22 A. Yes.

23 Q. Was that same responsibility
24 with practice compliance before 2014?

25 A. Yes.

1 Q. What years was that -- let me
2 do it differently.

3 What years, to the best of your
4 knowledge, was practice compliance
5 responsible or involved in the reporting that
6 you just described?

7 A. Since I came to the regulatory
8 affairs area, it would have been from -- that
9 I know of -- would have been from 2012 on.

10 Q. But you did come to regulatory
11 affairs prior to 2012; correct?

12 A. It -- it -- that's correct.

13 So it would -- it would have
14 been in -- when I came over to regulatory
15 affairs, which was 2009.

16 Q. 2009. Okay.

17 So from 2009 forward, to the
18 best of your knowledge, practice compliance
19 was responsible or involved in reporting a
20 diversion to the DEA and --

21 MR. VARNADO: Object to the
22 form.

23 Q. (BY MR. INNES) -- and state
24 agencies?

25 MR. VARNADO: Sorry. Object to

1 the form.

THE WITNESS: Practice

3 compliance had responsibility if we
4 had diversion in our pharmacies, of
5 reporting that diversion if it was a
6 pharmacist, if it was a technician, or
7 if we had some theft or loss inside
8 our pharmacy due to a robbery would
9 have been our responsibility.

10 Q. (BY MR. INNES) What about
11 orders placed by pharmacists to Walmart
12 distribution centers?

13 A. Can you be more specific?

14 Q. If an order was -- if an order
15 that met the criteria --

17 We'll circle back to this. I
18 think there's a better -- maybe a better way
19 to get where we need to go.

20 I asked you earlier when you
21 first became aware of a DEA regulation
22 requiring Walmart to identify suspicious
23 orders. And your testimony is -- was that
24 2015?

25 MR. VARNADO: Object to form.

5 Q. (BY MR. INNES) For Walmart.

6 A. Sometime around 2014, I would
7 have been aware of the responsibility for
8 reporting of suspicious order monitoring.

9 Q. Do you consider suspicious
10 order monitoring to be a part of diversion?

11 MR. VARNADO: Object to form.

20 Q. (BY MR. INNES) And when did
21 that understanding change to your current
22 understanding?

23 A. I can't remember an exact date,
24 but it would be after conversations began
25 around the opioid crisis.

1 Q. When did the opioid crisis
2 begin?

3 MR. VARNADO: Object to the
4 form.

5 THE WITNESS: I first became
6 aware of when everyone was using the
7 term around -- "opioid crisis" --
8 probably 2014, 2015.

9 Q. (BY MR. INNES) So is that
10 around the time your understanding changed?

11 A. My understanding of?

12 Q. Diversion.

13 A. I'm sorry?

14 Q. Diversion.

15 A. Yes.

16 Q. End of 2014, beginning of 2015,
17 you came to a different understanding of
18 diversion? Your current understanding of
19 diversion?

20 A. That a suspicious order could
21 be considered as diversion.

22 Q. When did you first become
23 aware, if ever, that Walmart is required to
24 maintain effective controls against
25 diversion?

1 A. Can you repeat that? I'm
2 sorry.

3 Q. Certainly.

4 When did you first become
5 aware, if ever, that Walmart has a
6 responsibility to maintain effective controls
7 against diversion?

8 A. Since beginning my role in
9 2009, I would have been aware of our
10 responsibility to prevent diversion as it
11 pertained to forged and altered
12 prescriptions, theft within our pharmacies.
13 That was my understanding.

14 Q. But again, in 2014, late 2014,
15 2015, your understanding of diversion
16 changed?

17 A. That a suspicious order could
18 be considered diversion activity.

19 Q. I just want to make sure I have
20 the record clear here.

21 So your first awareness that
22 Walmart had an obligation to maintain
23 effective controls against diversion was
24 sometime in 2009; is that right?

25 A. I can't speak to when Walmart

1 understood their obligation. That wasn't
2 controlled by our department.

3 Q. If I misspoke -- I'm interested
4 in your knowledge. So I can rephrase that
5 question.

6 I see that I do have it wrong
7 in my transcript. Let me rephrase that.

8 It's your testimony that you
9 first became aware of Walmart's obligation to
10 maintain effective controls against diversion
11 sometime in 2009?

12 MR. VARNADO: Object to form.

13 THE WITNESS: Can you repeat
14 that? I'm sorry.

15 Q. (BY MR. INNES) You first
16 became aware of Walmart's obligation to
17 maintain effective controls against diversion
18 sometime in 2009.

19 A. Diversion, as my understanding
20 of it, was 2009 when I joined the regulatory
21 affairs.

22 Q. Again, I'm just asking whether
23 or not you had a particular awareness of that
24 particular piece of the Controlled Substances
25 Act. Divorced from what your understanding

1 of diversion was, I just want to know if you
2 were aware of that particular obligation
3 under the CSA. And that would have been in
4 2009. Do I have that correct?

5 MR. VARNADO: Object to form.

6 THE WITNESS: The particular
7 piece of?

11 THE WITNESS: Are you talking
12 about SOM reporting?

13 Q. (BY MR. INNES) Is SOM
14 reporting part of Walmart's maintena
15 effective controls against diversion

16 A. My understanding of diversion
17 at the time in 2009 was what I described
18 earlier. But then around 2014, we became
19 more involved with logistics and their
20 responsibility for reporting SOM.

21 Q. When you became more involved
22 with the logistics team and their
23 responsibility for reporting SOM, do you
24 recall at that time if the logistics team had
25 a different understanding of diversion than

1 you did in 2014?

2 MR. VARNADO: Object to the
3 form.

4 THE WITNESS: I can't speak to
5 their understanding.

6 Q. (BY MR. INNES) Did you ever
7 have a conversation with anyone in logistics
8 regarding what diversion was as it relates to
9 the CSA in 2014?

10 A. I can't recall that
11 conversation.

12 Q. Was there a conversation?

13 A. I can't recall that there was a
14 conversation.

15 Q. There may have been a
16 conversation?

17 A. I'm sorry?

18 Q. There may have been a
19 conversation?

20 A. I can't recall that.

21 Q. You can't recall whether or not
22 there was a conversation?

23 A. I don't know if there was any
24 conversation.

25 MR. INNES: For the record, now

1 I'm getting glare off the computer
2 screen, so we're all on an even
3 playing field.

4 MR. VARNADO: All in it
5 together now.

6 MR. INNES: I just want the
7 record to be clear now.

8 THE WITNESS: The sun is
9 terrible.

10 (Discussion off the record.)

11 THE VIDEOGRAPHER: Let's go off
12 the record for one second, if that's
13 okay.

14 MR. INNES: Sure.

15 THE VIDEOGRAPHER: 11:08. We
16 are off video record.

17 (Recess taken, 11:08 a.m. to
18 11:17 a.m.)

19 THE VIDEOGRAPHER: 11:17. We
20 are on the video record.

21 Q. (BY MR. INNES) Mr. Chapman,
22 let me continue on this same vein for a
23 little while.

24 When, if ever, did you become
25 aware of Walmart's responsibility to exercise

1 due diligence to avoid fulfilling suspicious
2 orders that might be diverted into other than
3 legitimate medical and scientific or
4 industrial channels?

5 MR. VARNADO: Object to form.

10 Q. (BY MR. INNES) Okay. And I'm
11 not sure that fully answers my question.

12 Is it your testimony that
13 sometime in 2014, you became a Walmart -- you
14 became aware of Walmart's statutory
15 responsibility to exercise due diligence to
16 avoid filling suspicious orders that might be
17 diverted into other than legitimate medical
18 and scientific or industrial channels?

19 MR. VARNADO: Object to the
20 form.

21 THE WITNESS: Can you repeat
22 that?

23 Q. (BY MR. INNES) Is it your
24 testimony that sometime in 2014, you became
25 aware of Walmart's responsibility to exercise

1 shipping until it cleared its investigation
2 of that order?

3 MR. VARNADO: Object to the
4 form.

5 THE WITNESS: That would be a
6 procedure guide that the logistics
7 team would have had, and I'm not aware
8 of it.

9 Or I can't recall it.

10 Q. (BY MR. INNES) Are you saying
11 that that is a policy that would not have
12 been in your purview during that time?

13 A. Correct.

14 Q. Are you aware of a policy in
15 logistics that articulated that?

16 A. I don't know.

17 Q. Okay. So let's carry forward
18 to 2014 now.

19 You're a senior director at
20 health and wellness practice compliance. The
21 same procedure -- the same policies and
22 procedures that were articulated in the
23 written portion of Walmart's response and
24 that we discussed for the year 2013, those
25 have now carried forward to 2014, are still

1 in place.

2 Is that a correct
3 understanding?

4 MR. VARNADO: Object to the
5 form.

6 THE WITNESS: Which -- I don't
7 know what you're referring to. Which?

8 MR. INNES: Sure.

12 THE WITNESS: Okay.

13 Q. (BY MR. INNES) Is there any --

14 A. This is what you're talking
15 about? The bullet?

16 Q. Yes.

19 A. Okay.

20 Q. All of those policies are in
21 effect in 2014; is that correct?

22 A. These are all pharmacy
23 distribution procedures that they would be
24 following, and I know they existed before
25 2015.

1 Q. Thank you for that. So my
2 question is a little bit more specific.

3 I'm wondering if you have any
4 reason to believe that any of these policies
5 were not in effect in the year 2014?

6 A. No.

7 Q. Okay. Thank you.

8 Again, in tab 2, do you have
9 any reason to believe that this policy was
10 not in effect in 2014?

11 A. Tab 2, the logistics pharmacy
12 manual, controlled substance?

13 Q. Yes, sir. It ends in Bates
14 No. 11106.

15 A. Yeah, it has a -- it has a date
16 stamp of November 2010 was the last time,
17 according to this document, that it was
18 revised.

19 Q. Okay. Does that cause you to
20 question whether or not that was in effect in
21 the year 2014?

22 A. No.

23 Q. So again my question is, do you
24 have any reason to believe that this document
25 was not in effect in 2014?

1 A. No.

2 Q. And I'll direct your attention
3 to tab 3.

4 Do you have any reason to
5 believe that this policy was not in effect in
6 October of 2014?

7 A. Now, when?

8 Q. October of 2014.

9 A. This has a date of
10 September 2014, so that would be -- should be
11 the published date of this document.

12 Q. But you've had an opportunity
13 to review this document, and in your role as
14 the senior director of health and wellness
15 practice compliance, in --

16 A. I -- I was copied on this
17 document and had seen this document, and this
18 would have been Miranda's help with the
19 logistics team as they updated their
20 document. And I don't know if this was a
21 prior version or not, but this was Miranda's
22 working with the logistics team.

23 Q. Okay. Let's unpack that a
24 little bit. You say you were copied on this
25 document. I don't see your name attached to

1 this document. Do you recall this from
2 somewhere else?

3 A. I have seen this document
4 before, and I have received this as a copy.

5 Q. When was that?

6 A. I don't know the exact date.
7 I'd have to -- I'd have to look at my email.

8 Q. Right. To put a finer point on
9 it, is this one of the documents that you
10 reviewed as part of your preparation for
11 today?

12 A. I have seen this one, yes, in
13 preparation.

14 Q. Okay. It's one of the ones
15 that you reviewed in those three meetings; is
16 that correct?

17 A. Yes.

18 Q. Based on your knowledge of the
19 Controlled Substances Act and Walmart's
20 requirements vis-à-vis the distribution of
21 opioids in 2014, was it your opinion that
22 this document was in compliance with federal
23 regulations?

24 MR. VARNADO: Object to the
25 form of the question.

7 Q. (BY MR. INNES) Is it your
8 understanding that this document, at tab 3,
9 beginning at 111 -- sorry, strike that.

10 Bates No. 11107 replaced the
11 policy that was at tab 2, which is Bates
12 No. 11106?

13 A. I don't have knowledge that
14 this -- this one under tab 3 replaced the one
15 under tab 2.

16 They don't have the same title.

17 Q. Mr. Chapman, I'll just direct
18 you to the chart that is on -- at tab 1,
19 page 3.

20 A. Tab 1, page 3? Or the bullet
21 points?

Q. I'm sorry. Yeah.

23 And you'll see there that it
24 says the approximate effective date of
25 Document 11106, the effective date ends on

1 October of 2014.

2 And then you'll see that the
3 next line down that says the policy beginning
4 with Bates 11107 is -- the approximate
5 effective date begins in October of 2014.

6 A. I see that.

7 Q. Does that change your
8 understanding that -- at all, that the policy
9 in tab 2 was replaced by the policy in tab 3?

10 MR. VARNADO: Object to the
11 form.

12 THE WITNESS: All I'm aware of
13 is what's here on this paper. I don't
14 have firsthand knowledge that this
15 tab 2 document replaced tab 3.

16 Q. (BY MR. INNES) Okay. So when
17 you -- when the logistics team rolled SOMs to
18 the compliance team at the end of 2014, what,
19 if anything, did you do to familiarize
20 yourself with the policies that were in place
21 at the time of that transition?

22 A. We would have -- we would have
23 been involved with logistics in 2014, but
24 again, it didn't do the transition until
25 sometime in 2014, 2015. So I don't know the

1 exact date.

2 Q. Okay. Again, my question is
3 slightly different. I'm wondering, when you
4 were going through that transition period,
5 what did you do, if anything, to familiarize
6 yourself with Walmart's SOM policies that
7 were, at that time, housed in logistics?

8 A. I would not, in my position,
9 have gone through and reviewed logistics
10 policies when they made changes from one
11 policy to the next.

12 Q. That would have been
13 Ms. Johnson's responsibility?

14 A. It would have been logistics'
15 responsibility, but Miranda would have had
16 knowledge of it.

17 Q. And during the transition --

18 A. I assume.

19 Q. And during the transition,
20 would it have been Ms. Johnson tasked with
21 knowing what the policies were that your
22 department was now taking ownership of?

23 A. She would know the current
24 policy as that transitioned from logistics to
25 practice compliance.

1 Q. And at that point in time, she
2 was reporting directly to you; right? This
3 is October 2015?

4 A. October 2015, she would have
5 reported to me.

6 Q. Mm-hmm.

7 And as your direct report, did
8 you have any oversight over -- as to what
9 Ms. Johnson was doing, or not doing, with
10 respect to the transition of suspicious order
11 monitoring from logistics to compliance?

12 MR. VARNADO: Object to the
13 form.

14 THE WITNESS: I would have -- I
15 would have information on the projects
16 she was working on, but I would not be
17 into the great detail of every single
18 item that she was working on.

19 Q. (BY MR. INNES) At this point
20 in time, you're well aware of the opioid
21 crisis that is going on in October of 2015;
22 is that right?

23 A. At this time period, the opioid
24 crisis was a topic of conversation around the
25 U.S.

1 Q. Was it a topic of conversation
2 at Walmart?

3 A. Yes, we would have been having
4 conversations that this was a national issue.

5 Q. And now your department is
6 taking the mantle on Walmart's efforts to
7 make sure that the opioid crisis can be
8 abated; is that right?

9 MR. VARNADO: Object to the
10 form.

11 THE WITNESS: We would have
12 been responsible for -- in 2015, of
13 taking over the suspicious order
14 monitoring.

15 Q. (BY MR. INNES) And the
16 suspicious order monitoring is directed at,
17 in large part, making sure that opioids are
18 not diverted to places where they should not
19 go; is that correct?

20 MR. VARNADO: Object to the
21 form.

22 THE WITNESS: Again, we would
23 be looking at records as they're
24 placed to our warehouse and reviewing
25 those orders, if we consider those an

1 order of interest or a suspicious
2 order.

3 Q. (BY MR. INNES) I'm getting
4 something different than what you were doing
5 and were not doing. I'd like to know why it
6 seems you were not having more of a hands-on
7 role with Ms. Johnson when she's -- when your
8 department is assuming the mantle of the --
9 of Walmart's efforts to prevent diversion.

10 MR. VARNADO: Object to the
11 form.

12 THE WITNESS: My responsibility
13 is much larger than this one singular
14 issue, so I would not be down in all
15 of the details of every single project
16 that she was working on.

17 Q. (BY MR. INNES) Was there a
18 reason that -- strike that.

19 Did you -- during the
20 transition did you review Walmart's policies
21 and procedures that were in place to ensure
22 that they were compliant with federal and
23 state regulations?

24 MR. VARNADO: Object to the
25 form.

4 Q. (BY MR. INNES) You didn't feel
5 it necessary for you to take a personal role
6 in that as the director of -- senior director
7 of practice compliance?

8 MR. VARNADO: Object to the
9 form.

16 Q. (BY MR. INNES) So you didn't
17 take a personal role in the review of these
18 policies and procedures as they relate to
19 Walmart's compliance with federal and state
20 regulations?

21 A. I'm sure I would have reviewed
22 a document and looked at the document and
23 been made aware of the document, but I didn't
24 do -- review work on the document.

25 0. Are you a member of the health

1 and wellness advisory panel?

2 A. Health and wellness advisory
3 panel. Is it the health and wellness
4 compliance advisory panel? What -- what's
5 the full name?

6 Q. I can direct you to Bates
7 No. 11109. It's the last page of tab 3. In
8 the middle of the page it says "The health
9 and wellness advisory panel."

10 A. Yeah, that's the -- that's
11 the -- yes.

12 I was not a -- I was a stand-in
13 voting member. I was not a voting member of
14 that -- of that panel.

15 Q. At what time were you a
16 stand-in voting member of that panel?

17 A. If my -- if my vice president
18 wasn't in that meeting, then if there was
19 something to be voted on, as it were, then I
20 would participate in that role.

21 Q. Did you attend advisory panel
22 meetings in a non-voting role?

23 A. I'm sure I did.

24 Q. At those advisory panel
25 meetings that you attended, whether they were

1 in a voting role or non-voting role, were
2 distribution of opioids discussed?

3 A. The controlled substance
4 program, opioids would be discussed. SOM
5 reporting would have been discussed, but not
6 distribution.

7 And I'm talking logistics side.
8 Logistics was, I believe, a part of this
9 panel as well.

10 Q. So the health and wellness
11 advisory panel, to your knowledge, never
12 discussed distribution of opioids, but they
13 did discuss SOM reporting?

14 A. There would have been
15 discussions around the SOM program.

16 Q. Were there minutes taken of
17 these meetings?

18 A. That, I don't know.

19 Q. Who would know if there was
20 minutes taken of those meetings?

21 A. That would be our -- health and
22 wellness legal would know.

23 Q. Who was in charge of taking
24 minutes for these meetings?

25 MR. VARNADO: And let me

1 just -- there's a little bit of
2 confusion here. I just want to
3 object. To the extent it's calling
4 for privileged deliberations during
5 the controlled substance advisory
6 panel, I'm going to instruct the
7 witness not to answer about those
8 privileged communications involving
9 meetings that were done at the
10 direction of counsel.

11 If you're talking about some
12 other committee, so be it.

13 Q. (BY MR. INNES) Are you taking
14 counsel's advice and not answering this
15 question?

16 A. Yes.

17 Q. Okay. Who are the members of
18 the health and wellness advisory panel?

19 A. Without having a document that
20 shows all the members, I could probably only
21 name a few, but ...

22 Q. Are there any members of
23 Walmart's legal department that are members
24 of the health and wellness advisory panel?

25 A. Yes.

1 Q. How many members are part of
2 the -- strike that.

3 Are the members of the legal
4 department lawyers?

5 A. I'm sorry, say that again?

6 Q. Are the members of the legal
7 department that are members of the health and
8 wellness advisory panel, are those folks
9 lawyers?

10 A. Those would be Walmart
11 associates.

12 Q. And a Walmart associate is a
13 lawyer?

14 A. Yeah. Walmart legal.

15 Q. Are members of -- are the
16 members of the health and wellness advisory
17 panel that are Walmart in-house lawyers, are
18 they voting members?

19 A. I don't remember.

20 Q. Is there anything that would
21 refresh your recollection as to that
22 question?

23 A. I know we had a document that
24 shows who was voting members.

25 MR. INNES: Counsel, I don't